(Preserve)

G. R. S. IX-5]

Previous references.

Ch. 149. 14 (1-2) 1917-18 (Courts)

File No. 12-17

Serial Nos. 1, 4 & 5

Later references.

Ch 44-19 (10 & 11)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1, 4 & 5 —

Part B for September 1917

SUBJECT.

Promotions and Confirmations of Munsiffs.

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5) To the Compiler Mysore Gazette
No J 1096 Dy 26. 9. 1917

Notifies the Confirmation of
Mr C. Abdul Ghani B.A. B.L. as
Munsiff 5th Class

To the Registrar Chief Court
No J 1097 Dy 26. 9. 17
has Abdul Rahman Forwards Copy of the above
= 4- No- 1917 Khan

W D 88—GPB—50,000—24-7-16

G. R. S. 11] 1917.

(1)

GENERAL AND REVENUE SECRETARIAT.

(Cant)

NOTES.

File No. 12-17

FILE HEADING.

Promotions and confirmations of Munsiffs

From

The Registrar, Chief Court

No. Roc 1015/1916-17 Dated 6.7.1917. Received 7.7.17.

Diary No. 943	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Solicits orders confirming Mr Abdul Ghani as Munsiff vice Mr Sreekantesha Gowda resigned, with effect from 24-3-1917, the date on which he completed the 2 years' probation period contemplated in G.O. no. J-2640-41-8 of 25-1-1917

NOTES AND ORDERS.

Submitted with references.

2. The proposal to count the two months' acting service in the calculation of the period of two years mentioned in the G.O. of 25-1-17 seems to be inadmissible, as the expression 'the respective dates of their appointment'

NOTES—First Sheet.

ND 1283—GPB—60,000—1-12-16—S.

(2)

G. R. S. III-2]

General and Revenue Secretariat. | File No. 12 of 1917.

Serial No.

apparently refers to the dates from which the officers have been employed continuously as Munsiffs. If this view is correct, Mr Abdul Ghani will be entitled to confirmation with effect from 24.5.1917. Branch II may be consulted.

ASR 21/7

3) There is a break in his previous Service which cannot therefore be counted for confirmation. To Branch II for favour of opinion.

GEN. & REVENUE SECRETARIAT
FINANCIAL
23 JUL 1917
Fe. No. 256-17.

ASR 28/7

4) Submitted the Fl Deptt concur with the above opinion

Sd 28/7 (1)

5) The file 84-16-8 maybe sent up. Are there any precedents in the matter of including all or some either the 2 years probation period.

(2) the matter of including all or some either the 2 years probation period.

(3) Do not the rules for confirmation require a completion of 2 years after the appointment referred to here.

Asst (II) 6) Submitted.

(1) The file is kept 'confidential' in the Council Section.

(2). No such precedents are traceable.

(3) Kind reference is invited to para 2 of the 1st Member's Final Note of 12.4.17 in Camp File 266-16, pgs 1-4.

ASR 30/7

Sd 31/7

7) Unless an officer is appointed

G

NOTE—Contn. sheet.

MD 1233—GPB—60,000—1-12-16—S.

3

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General and Revenue Secretariat. | cts File No. 12 of 1917.

U O 256.

Serial No.

7) Sec 60. When an officer is appointed on probation for a ~~substitute~~ substantive post on a vacancy reserved for him, pending probation his service will not qualify. Vide art. 253 M.S.R.

8) The 2 years probationary service shall therefore commence from the date of appointment in such a vacancy.

(Ror IV). 18 31.7.17

9) Submitted for orders.

10) From the above it seems clear that the two months acting service in question cannot be taken into account in calculating the period of probation, and since Govt have in their order of 25.1.1917 decided that the officer should be treated as on probation from the date (A) of his appointment, the question whether the vacancy in which he was placed on the latter date satisfied the requirements of Art 253 M.S.R, is perhaps not now open for discussion.

(A) Flag X and page 36 of the Civil List

11) Mr Abdul Ghani has passed all the prescribed tests, including examination in Kannada, and under the G.O. referred to he seems to be entitled to confirmation with effect from 24.5.1917

Asst 6/8 Ntc.

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

4

43

G. R. S. III-2

General and Revenue Secretariat.

Courts File No. 12 of 1917-18.

Serial No.

12/ Mr Abdul Ghani acted as Munsiff twice for a month each time in December 1914 & January 1915. Subsequently there was a break for 3½ months, and he has been acting as Munsiff continuously from 24th May 1915. The Chief Court recommend that this period of 8 months may also be counted towards his Probationary period and that he may be confirmed from 24th March 1917 instead of from 24th May 1917. Both on principle and precedent this period of 2 probation of two years should be a continuous period of two years before it can count as qualifying for confirmation. The financial branch is also of the same view. It seems therefore that the proposal of the Chief Court cannot be accepted.

13/ If approved, a suitable draft will be submitted.

GS 16/5

V & W

X

Paper under disposal

Y

588 15.8

First Member 16/8 Legal Secy 15/8 Draft GS 16/8

16/ Subd with the draft of a G.O & a Notfn.

Schedule Matter (Prescribed under Rule XIV of the Schedule)

NSR 14/8 Secy

GS 14/8

NOTE—Contn. sheet.

17/ Secy

Let the G.O be addressed in a letter from as indicated above

14/8 GS

WD 1233—GPB—60,000—1-12-16—S.

43

G. R. S. III-2.

General and Revenue Secretariat. | cts File No. 12 of 1917-18.

Serial No.

18.
Revised draft subd
AAA
15/8
Gs
15/8

655/16/8 Secy) The drafts may be disposed of by circular when to Commrs.
First member
Secy
16/8
Secy
965/17.8.17. 20) Gs
Well
16/8
21) I agree
3.9.17 do

59/3-9-17 2nd member) hn 3.9.17.
h 4.9
Gs 4.9.

22) Addl Secy. to Govt. To submission to 1st member of a D.F.N & D.S.N.
hn 4-9-17
Gs 4.9.

23) Subd with D.F.N & D.S.N.
AAA
6/9
Well

24) Sir favour approval.
Gs
6.9

First Member

25) Agreed
Well

983/8/9. 26) Fair final with Secy signed by first & immediate ups.

1690/8/9 NOTE—Contn. sheet.

27) Sub to Govt with draft
7/9/17 subm note
Gs
8/9/17

Final Note by the First Member of Council.

Subject:—

Confirmation of Mr. Abdul Ghani as Munsiff 5th class.

Government in their order No.J.2640-41 Cts.34-16-8 dated 25.1.17 sanctioned the proposal of the Chief Court to treat Mr.C.Abdul Ghani, B.A., B.L. and two other acting Munsiffs as being on probation subject to confirmation at the end of two years from the respective dates of their appointment, against the three existing permanent vacancies.

2. In submitting the case of Mr.Abdul Ghani for confirmation, the Chief Court state that he acted as Munsiff twice for a month each time in December 1914 and January 1915 before he was posted to his present appointment on 24th May 1915., and that including these periods he completed the probationary period of 2 years by the 24th March 1917. They accordingly recommend that he may be confirmed as Munsiff with effect from that date in the vacancy caused by the resignation of Mr.M.L. Srikantesha Gowda.

3. The probation period contemplated in the Government order referred to is a continuous period of two years and cannot, on principle and precedent, be taken to include broken periods of acting service rendered on previous occasions. In this view Mr.Abdul Ghani is entitled to confirmation as Munsiff 5th class, only with effect from the 24th May 1917, and the drafts put up accordingly have been agreed to by the Dewan and the Members of Council.

4. The drafts may kindly be approved.

7th Sept. 1917

Submitted to His Highness.

3

I submit herewith a Final Note by the First Member of Council on the subject of the confirmation of Mr. C. Abdul Ghani, B.A., B.L., as Munsiff, 5th class,

for His Highness' gracious approval.

M. Rámaráo
Dewan.
15th Sept 1917

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Confirmation of Mr.C.Abdul Ghani as Munsiff, fifth class.

382

Order.

~~KRW~~

18/9/17

1304/1.10.17.

29/9

1.10.17.

Sanctd

19.9.17

WD 1283—GPB—60,CCC—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. | cts File No. 12 of 1917-18.

Serial No.	
4	To The Registrar Coh Court no D 1095 26th Sep 1917 States that Sr. Abdul Ghani is entitled to confirmation as Munsiff 5th class only.
5	To The Compiler Imperial Gazette no D 1096 26th Sep 1917 Notifies the confirmation of Sr. Abdul Ghani as Munsiff 5th class
	To The Registrar Coh Court no D 1097 26th Sep 17 Forwards copies of the above.

NOTE—Contn. sheet.

R.O.C. No.1015/1916-17.

Chief Court of Mysore,
Bangalore,
Dated 5th July 1917.

From

N. T. Gopaliengar Esq., B.A., LL.B.,
Registrar of the
Chief Court of Mysore.

To.

D. M. Narasinga Rao Esq., B.A., B.L.,
Secretary to the Government of Mysore,
General Department,
Bangalore.

Sir,

Adverting to Government Proceedings No.J. 2640-41/Cts. 34-16-8 dated the 25th January 1917 according sanction to the proposal of this Court that Messrs. C. Abdul Ghani, T. Singaravelu Mudaliar and C.B. Naghabhushana Rao the three acting Munsiffs may be treated as being on probation subject to confirmation at the end of 2 years from the respective dates of their appointment, I am directed to state that Mr. C. Abdul Ghani had acted twice for a month each time as Munsiff of Hassan and of Doddaballapur before he was posted to Chickmagalur in his present appointment on the 24th of May 1915. Including those two months Mr. Abdul Ghani completed his probationary period of two years by the 24th March 1917 and is eligible for confirmation with effect from that date, in the prior vacancy caused by the resignation tendered by Mr. M.L. Sreekantesha Gowda late Munsiff of Maddigiri.

I

I am to request that the Government may be pleased to pass orders confirming Mr. Abdul Ghani in the said permanent vacancy.

I have the honour to be,

S i r,

Your most obedient servant,

REGISTRAR.

2 of 5

G. R. S. VI—G/32]

SUBJECT Confirmation of Mr C. Abdul Ghani, B.A., B.L. as Munsiff

Diary No. of letter replied to J. 43

Revised Draft

Section Courts

File No. 12-17

Serial No. 1

GENERAL AND REVENUE SECRETARIAT,
(Courts)
, the 191 .

No. J 1098

Date of issue 26/9/17

To

The Registrar, Chief Court

Signed by M. G. Srinivasa

Sir,

Paper underlined

With reference to your letter no R.O.C. 1015/1915-16 dated 6-7-17, stating that Mr C. Abdul Ghani, Acting Munsiff, completed the ~~trial~~ period of probation prescribed in G.O. no. J 2640-41 dt 25-1-17 cls 34-16-8 on the 11th March 1917, taking into account two months acting service put in by him previously, and soliciting sanction to his confirmation as with effect from that date in the vacancy caused by the resignation of

over.

of Mr M. L. Srikantesha Gowda, I am directed to observe that the probation period referred to in the G.O. of 25-1-17. is a continuous period of two years and cannot, both on principle and according to precedent, be taken to include broken periods of acting service rendered on previous occasions.

2. Govt consider that Mr Abdul Ghani is entitled to confirmation as Munsiff, 5th class, only with effect from 24.5.1917. A notification confirming him from that date will issue separately.

Thanks
Secretary to Govt
Genl Dept

List of enclosure

Copied by

Examined by

WD 86—GPB—60,000—15-11 16

2053

G. R. S. VI—G/32]

SUBJECT Confirmation of Mr C. Abdul Ghani B.A, B.L as Munsiff

Diary No. of letter replied to J 43

Section Cans

File No. 12-17

Serial No. 3

GENERAL AND REVENUE SECRETARIAT,
(Cans)
, the 191 .

No. J 1096

Date of issue 26.9.17

To

Signed by Mr G. Balasundra
Sy

Notification

of Mr C. Abdul Ghani, B.A. B.L acting Munsiff, Chickmagalur, is confirmed as Munsiff, Fifth class, with effect from 24th May 1917.

By order
Secretary to Govt
Gen Dept

To the Compiler, Mysore Gazette for publication.

J 1097 Copy to the Regr, Chief Court,

over.

16/8/17

Ans 1918

GENERAL.

No. J. 1096—*Cts.* 12-17-3, *dated* 26*th September* 1917.

Mr. C. Abdul Ghani, B.A., B.L., acting Munsiff, Chikmagalur, is confirmed as Munsiff, 5th class, with effect from 24th May 1917.

By Order,
C. S. BALASUNDARAM IYER,
Secretary to Government,
General Department.